

CHAPTER NO. 21

HOUSE BILL NO. 1970

By Representative Ford

Substituted for: Senate Bill No. 1934

By Senator Haun

AN ACT to amend Chapter 235 of the Private Acts of 1947; as amended by Chapter 621 of the Private Acts of 1949; Chapter 374 of the Private Acts of 1951; Chapter 273 of the Private Acts of 1974 and Chapter 161 of the Private Acts of 1990; and any other acts amendatory thereto, relative to create an additional part-time general sessions court in Hamblen County.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Chapter 235 of the Private Acts of 1947, as amended by Chapter 621 of the Private Acts of 1949, Chapter 374 of the Private Acts of 1951, Chapter 273 of the Private Acts of 1974 and Chapter 161 of the Private Acts of 1990; and any other acts amendatory thereto is further amended by adding the following new section:

Sec.____.

(a) In addition to the general sessions court created by this act and the judge authorized by Sec. 9 to serve such court, there is created a part-time general sessions court in Hamblen County.

(b) The part-time general sessions court shall have the same jurisdiction as the full-time general sessions court of Hamblen County.

(c) The county legislative body of Hamblen County shall appoint a person to serve as judge of the part-time general sessions court. Such person shall possess the same qualifications, term of office and oath as provided by law for the full-time judge. Such appointed part-time judge shall serve until September 1, 2002 or until such judge's successor is elected and qualified.

(d) At the regular August election in 2002, the qualified voters of Hamblen County shall elect a person to serve as part-time general sessions judge. All candidates for part-time general session judge shall have the same qualifications as required by law for the full-time general sessions judge. The part-time judge elected in August of 2002 shall serve until September 1, 2006 or until such judge's successor is elected and qualified. At the regular August election in 2006, a part-time general sessions judge shall be elected for a full eight (8) year term.

(e) Both the elected and appointed part-time judge shall have the same jurisdiction, powers and duties as the full-time judge and shall be entitled to receive in equal monthly installments one half (1/2) of the compensation provided by Tennessee Code Annotated, Section 16-15-5003, for the full-time judge. The part-time judge shall hold court at least two and one-half (2 ½) days per week but may hold court more often if the interests of justice so require. The part-time judge shall work in cooperation with the

full-time judge relative to the assignment and transfer of cases and the method by which cases are filed in, and assigned to, the part-time court.

(f) The clerk of the full-time general sessions court of Hamblen County shall also serve as the clerk for the part-time general sessions court.

(g) In addition to Hamblen County's responsibility for the expense of the part-time general sessions judge created by this section, the provisions of this section shall not become effective unless Hamblen County also appropriates a sufficient sum to pay for any additional assistant district attorneys general positions or any assistant district public defender positions that may be required as the result of creating such additional part-time general sessions judge position.

SECTION 2. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the legislative body of Hamblen County. Its approval or nonapproval shall be proclaimed by the presiding officer of the Hamblen County legislative body and certified to the Secretary of State.


SECTION 3. For the purpose of approving or rejecting the provisions of this act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective as provided in Section 2.

PASSED: March 27, 2001


JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES


JOHN S. WILDER
SPEAKER OF THE SENATE

APPROVED this 4th day of April 2001


DON SUNDQUIST, GOVERNOR